

UNITED STATES DISTRICT COURT

for

WESTERN DISTRICT OF TENNESSEE

WESTERN DIVISION

FILED BY eg D.C.

05 JUL 25 AM 10:38

THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
W/D OF TN, MEMPHIS

U.S.A. vs. Venson Smith

Docket No. 2:01CR20174-01

Petition on Probation and Supervised Release

COMES NOW Marnie Klyman PROBATION OFFICER OF THE COURT presenting an official report upon the conduct and attitude of Venson Smith who was placed on supervision by the Honorable Bernice B. Donald sitting in the court at Memphis, Tennessee, on the 21st day of October, 2002, who fixed the period of supervision at two (2) years*, and imposed the general terms and conditions theretofore adopted by the court and also imposed special conditions and terms as follows:

* Mr. Smith's Supervised Release began on June 25, 2004.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

(If short insert here; if lengthy write on separate sheet and attach)

On June 30, 2005, Mr. Smith tested positive for marijuana. Mr. Smith admitted he used marijuana and he has signed the attached Waiver of Hearing form agreeing to the modification of Supervised Release.

PRAYING THAT THE COURT WILL ORDER that Mr. Smith's conditions of Supervised Release be amended to include drug testing and treatment as deemed necessary/directed by the U. S. Probation Office.

ORDER OF COURT

Considered and ordered this 22 day of July, 2005 and ordered filed and made a part of the records in the above case.

[Signature]
United States District Judge

Respectfully,

[Signature]
for Marnie Klyman
U.S. Probation Officer

Place: Memphis, TN

Date: July 22, 2005

This document entered on the docket sheet in compliance
with Rule 55 and/or 32(b) FRCP on 7/25/05

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United States District Court

WESTERN District TENNESSEE

**Waiver of Hearing to Modify Conditions
of Probation/Supervised Release or Extend Term of Supervision**

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

You shall participate in a program which may include inpatient therapy for treatment of drug/alcohol dependency, including drug/alcohol testing to determine if you have reverted to the use of drugs/alcohol. You shall also abstain from the use of drugs/alcohol during and after the course of treatment. You shall participate in mental health treatment as deemed appropriate.

Witness: Marnie Klyman
MARNIE KLYMAN
U. S. Probation Officer

Signed: Venson Smith
Venson Smith
Probationer/Supervised Releasee

7-12-05
Date



Notice of Distribution

This notice confirms a copy of the document docketed as number 68 in case 2:01-CR-20174 was distributed by fax, mail, or direct printing on July 28, 2005 to the parties listed.

Timothy R. DiScenza
U.S. ATTORNEY'S OFFICE
167 N. Main St.
Ste. 800
Memphis, TN 38103

Honorable Bernice Donald
US DISTRICT COURT